

REMARKS

The application has been carefully reviewed in light of the Office Action dated January 16, 2004. Claims 17, 19 to 28 and 32 to 35 are pending in the application, of which Claims 17 and 25 to 28 are independent claims. Reconsideration and further examination are respectfully requested.

Claims 17, 19 to 28 and 32 to 35 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,913,019 (Attenberg) in view of U.S. Patent No. 5,487,010 (Drake). Reconsideration and withdrawal of this rejection are respectfully requested.

Turning to specific claim language, amended independent Claim 17 is directed to a sticker printing apparatus for printing a desired sticker by operating a touch panel overlaid on a display screen. The apparatus includes selection means for selecting one of a plurality of background patterns displayed on the display screen by using the touch panel, background image display means for displaying on the display screen a background image corresponding to the pattern selected by the selection means, input means for inputting, by using said touch panel, a plurality of character strings to be printed on a sticker, each of the plurality of character strings being assigned to each of a plurality of logical layers which overlay each other in a fixed order, control means for generating bit image data corresponding to an inputted character string and storing the bit image data in a predetermined storage, each time a character string is inputted by the input means, layout means for laying out each of the stored bit image data in accordance with the fixed order, generating means for generating image data by overlaying each of the image data obtained by the layout means on the background image, and output means for outputting the image data, obtained by the generating means, to printing means.

In contrast, Attenberg discloses an interactive photo kiosk. A composite image is formed by providing a uniform colored backdrop behind a user, imaging the user with the backdrop, and electronically replacing the backdrop color with the selected background image. The composite image may be used to produce a multiple image of the same frozen image on a single sheet wherein each of the multiple images can be peeled off the single sheet and used separately from each other. An interactive image adjusting feature is provided to allow a user to modify the size and orientation of the user's image within the composite image.

Attenberg neither discloses nor suggests Applicants' claimed apparatus for making stickers wherein a plurality of character strings are assigned to each of a plurality of logical layers which overlay each other in a fixed order. As Attenberg does not disclose use of a plurality of logical layers which overlay each other in a fixed order, Attenberg is not seen to disclose use of the fixed order to determine the layout of bit image data generated from the character strings which is overlaid on a background image.

Not only does Attenberg fail to disclose all of the features of Applicants' claimed invention, Attenberg teaches away from Applicants' use of logical layers for ordering layout of the bit images generated from the character strings. Attenberg teaches that an image from a user is edited by replacing portions of the user's image with portions of a background image to form a single composite image. The composite image is generated continuously and shown to the user as the user adjusts the position of the user image relative to the selected background image. When the user is satisfied with the composite image, the user presses a button, and after a short time delay, a screen capture is made of the composited image. Therefore, Attenberg discloses a single composited image generated by replacing portions of a user's image with portions of a background image and thus teaches away from Applicants' use of image data on logical layers that are used to overlay each other.

In the Office Action, it is proposed that the disclosures of Drake may be used to overcome the deficiencies of Attenberg. Specifically, it is proposed that Fig. 4d of Drake discloses inputting of multiple character strings for printing onto a sticker. However, Fig. 4d simply shows user selectable pre-programmed slogans (Column 6, lines 23 to 33). During a slogan creation process, Drake only discloses entering a single slogan and does not disclose inputting a plurality of character strings that are assigned to logical layers for layout purposes (Column 6, lines 51 to 60). Therefore, modification of Attenberg with the disclosures of Drake does not yield an apparatus with all of the features of Applicants' claimed apparatus. As Attenberg and Drake, either alone or in combination, fail to disclose all of the features of Applicants' invention as claimed in Claim 17, Applicants submit that Claim 17 is in condition for allowance and respectfully request same.

Amended independent Claim 25 is directed to a method corresponding to Claim 17. Therefore, Applicants submit that the remarks from above in support of Claim 17 are equally applicable to Claim 25. As such, Applicants submit that Claim 25 is in condition for allowance and respectfully request same.

Amended independent Claim 26 is directed to a storage medium storing program codes implementing a method corresponding to Claim 17. Therefore, Applicants submit that the remarks from above in support of Claim 17 are equally applicable to Claim 26. As such, Applicants submit that Claim 26 is in condition for allowance and respectfully request same.

Amended independent Claim 27 is directed to an apparatus for printing a desired sticker by operating a touch panel overlaid on a display screen corresponding to Claim 17. Therefore, Applicants submit that the remarks from above in support of Claim 17 are equally applicable to Claim 27. As such, Applicants submit that Claim 27 is in condition for allowance and respectfully request same.

Amended independent Claim 28 is directed to an apparatus for printing a desired sticker by operating a touch panel overlaid on a display screen corresponding to Claim 17 wherein the apparatus further includes a second volatile memory section for storing image data. Therefore, Applicants submit that the remarks from above in support of Claim 17 are equally applicable to Claim 28. As such, Applicants submit that Claim 28 is in condition for allowance and respectfully request same.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, and no other matters being raised in the Office Action, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicants

Registration No. 92,419

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

CA_MAIN 82183v1